

On July 20, 2011, the USCIS issued its decision on Plaintiff's Application, denying it for Plaintiff's failure to meet the statutory requirements for the requested adjustment of immigration

status. (Dkt. 20-1, Exh. A.) Defendants now move to dismiss the Complaint for lack of subject matter jurisdiction in light of the USCIS's decision, as no further case or controversy exists. *See* Fed. R. Civ. P. 12(b)(1). The Court agrees that Plaintiff has received his requested relief in the form of adjudication on his Application by the USCIS, which is further confirmed by his failure to submit a response to Defendant's motion to dismiss.

Plaintiff's action in this Court is therefore moot, and Defendant's Motion to Dismiss for Lack of Jurisdiction is **GRANTED**. The Complaint is accordingly **DISMISSED**, with prejudice.

IT IS SO ORDERED.

s/Algenon L. Marbley
Algenon L. Marbley

DATED: February 7, 2011